

Remarks

The Office Action mailed September 29, 2004 has been carefully reviewed and the following remarks have been made in consequence thereof.

The Office Action Summary dated September 29, 2004 incorrectly indicates that Claims 1-58 are pending in this application and that Claims 1-58 have been rejected. Actually, it appears from the February 10, 2004 Office Action that Claims 1-27, 37-44, and 54-58 are pending in this application and that Claims 1-27, 37-44, and 54-58 stand rejected. Claims 28-36 and 45-53 have been cancelled.

The Office Action asserts that Applicants' Amendment filed June 10, 2004 was not fully responsive to the prior Office Action because "Claims 17-27 recite 'system' which is vague and indefinite since the meaning of the term does not clearly determine the statutory class of invention...Since the term system may encompass more than one statutory class, there is a requirement for an indication on the record as to what statutory class of invention the 'system' claims belong to...." Applicants respectfully traverse these assertions. First, Applicants submit that their Amendment filed June 10, 2004 did address these assertions (see page 12 of Applicants' Amendment), and therefore, was fully responsive to the February 10, 2004 Office Action. Second, as explained below, Applicants respectfully submit that Claims 17-27 clearly describe a "system for evaluating economics of a financing based on workload requirements" that is within the machine (i.e., apparatus) statutory class, and therefore, these claims are not vague and indefinite.

Claim 17 recites "a system for evaluating economics of a financing based on workload requirements, said system comprising...a database comprising data corresponding to workload drivers and related trigger levels for each financing...and a server configured to prompt users to select trigger levels for each designated workload driver when entering data for the financing." Applicants respectfully submit that one skilled in the art, after reading the specification and reviewing the figures, would understand that Claims 17-27 are directed to an apparatus and not a process. For example, at least the following sections of the specification describe the "database" and the "server" recited in Claim 17:

Figure 2 is a block diagram of a system 10 that includes a server sub-system 12, sometimes referred to herein as server 12, and a plurality of customer devices 14 connected to server 12. In one embodiment, devices 14 are computers including a web browser, and server 12 is accessible to devices 14 via a network such as an intranet or a wide area network such as the Internet. In an alternative embodiment, devices 14 are servers for a network of customer devices.

Devices 14 are interconnected to the network, such as a local area network (LAN) or a wide area network (WAN), through many interfaces including dial-in-connections, cable modems and high-speed lines. Alternatively, devices 14 are any device capable of interconnecting to a network including a web-based phone or other web-based connectable equipment. Server 12 includes a database server 16 connected to a centralized database 18. In one embodiment, centralized database 18 is stored on database server 16 and is accessed by potential customers at one of customer devices 14 by logging onto server sub-system 12 through one of customer devices 14. In an alternative embodiment centralized database 18 is stored remotely from server 12.

Figure 3 is a block diagram of a network based system 22. System 22 includes server sub-system 12 and customer devices 14. Server sub-system 12 includes database server 16, an application server 24, a web server 26, a fax server 28, a directory server 30, and a mail server 32. A disk storage unit 34 is coupled to database server 16 and directory server 30. Servers 16, 24, 26, 28, 30, and 32 are coupled in a local area network (LAN) 36. In addition, a system administrator work station 38, a work station 40, and a supervisor work station 42 are coupled to LAN 36. Alternatively, work stations 38, 40, and 42 are coupled to LAN 36 via an Internet link or are connected through an intranet.

Each work station 38, 40, and 42 is a personal computer including a web browser. Although the functions performed at the work stations typically are illustrated as being performed at respective work stations 38, 40, and 42, such functions can be performed at one of many personal computers coupled to LAN 36. Work stations 38, 40, and 42 are illustrated as being associated with separate functions only to facilitate an understanding of the different types of functions that can be performed by individuals having access to LAN 36.

Server sub-system 12 is configured to be communicatively coupled to various individuals or employees 44 and to third parties, e.g., customer, 46 via an ISP Internet connection 48. The communication in the exemplary embodiment is illustrated as being performed via the Internet, however, any other wide area network (WAN) type communication can be utilized in other embodiments, i.e., the systems and processes are not limited to being practiced via the Internet. In addition, and rather than a WAN 50, local area network 36 could be used in place of WAN 50.

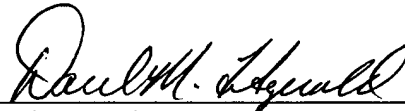
In the exemplary embodiment, any employee 44 or customer 46 having a work station 52 can access server sub-system 12. One of customer devices 14 includes a work station 54 located at a remote location. Work stations 52 and 54 are

personal computers including a web browser. Also, work stations 52 and 54 are configured to communicate with server sub-system 12. Furthermore, fax server 28 communicates with employees 44 and customers 46 located outside the business entity and any of the remotely located customer systems, including a customer system 56 via a telephone link. Fax server 28 is configured to communicate with other work stations 38, 40, and 42 as well.

Applicants therefore respectfully submit that Claims 17-27 describe a "system for evaluating economics of a financing based on workload requirements" that is within the machine (i.e., apparatus) statutory class. Accordingly, Applicants respectfully request that Applicants' Amendment filed June 10, 2004 be fully considered by the Examiner.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,



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